Some Public Comments Received Regarding the CALFED Preferred Program Alternative.

Programmatic Decision

Comment: Some comments reflected concern that the CALFED alternatives and analysis lack sufficient detail to make a decision.

Response: There have been a number of questions about the relationship of the CALFED Programmatic Environmental Impact Statement and Report (EIS/EIR) to the numerous other planning and coordinating efforts that are part of the CALFED Bay-Delta Program. CALFED is using a three phase process to develop a long-term solution to the problems of the Bay-Delta system. At the end of Phase I in September of 1996, three broad, concept-level program alternatives were described. In Phase II (currently underway), the three alternatives were refined and analyzed along with the preferred program alternative in CALFED's Programmatic EIS/EIR. Phase III follows a final decision on the Programmatic EIS/EIR and begins the implementation stage of the Program. It is expected that this decision will be made by the end of June, 2000.

The Programmatic EIS/EIR is expected to culminate in a final decision documented in the federal Record of Decision and State Certification. This decision on the program, however, is not designed to approve specific facilities or their locations, but to provide a general plan for long-term implementation. The approval of the ROD/Certification will not, in itself, enact any changes in law or regulation and will not authorize construction of specific projects. Instead, this programmatic decision describes the range of actions which collectively will meet the Program's goals and objectives, and set the framework for future decisions on these actions. Some of these actions may require new legislation, some may require changes in operation of water facilities, some may require acquisition of land or water rights, and others could require the construction of new facilities. Although it is a decision affecting a much broader geographic area, the decision in the ROD/Certification will be similar to the approval of a general plan for a city or county. General plans set the policies that guide future land use decisions within the plan area.

In addition to preparing the Programmatic EIS/EIR, two other efforts are occurring during Phase II. The first is the refinement of the elements that make up the Program by developing technical, operational, financial and institutional strategies to use in implementing the Program in Phase III. The second effort is identifying and commencing more detailed evaluation of actions to be implemented within the first two years following the conclusion of the programmatic environmental review process. These latter two efforts are described in the ten appendices to the Programmatic EIS/EIR.

The multitude of Phase II activities have led to some confusion over the level of detail in the Programmatic EIS/EIR and the nature of the decision that will be made as a result. As described previously, although the ROD/Certification will approve a broad plan to guide

implementation, it is appropriate, even necessary, to continue refining the plan concurrently to allow a smooth and uninterrupted transition from planning to implementation. To do otherwise would leave a wide break between a programmatic decision, and any decisions on implementing specific actions encompassed by the plan. Continuing to analyze and refine the plan also provides the public and agency decision makers with the most current information available to understand how later specific actions may be implemented and what their corresponding environmental impacts may be.

Both NEPA and CEQA require that an agency consider the environmental effects of its actions at the earliest point in time in which the analysis is meaningful. During extensive public scoping meetings, CALFED determined that the wide array of potential actions, the broad geographic area affected, the length of time for implementation, and the interrelated nature of the resources and goals for the CALFED Program indicated that a programmatic level environmental review would allow for fuller disclosure and improve the opportunity for decision makers and the public to consider alternatives. Identifying and analyzing potential future combined effects of a proposal allows a greater opportunity to design actions that avoid, minimize or mitigate identified impacts. The Programmatic EIS/EIR can then be used to tier more detailed environmental documents for individual actions during Phase III.

Water Conservation

Comment: Comments focused on water conservation as the only and best means of addressing the water situation in California and that other water management methods would not be necessary if water conservation was carried out.

Response: Water conservation alone does not adequately address all of the Bay-Delta problems that CALFED is trying to resolve. Water conservation is an integral part of the CALFED solution but, is only one of a number of water management tools that will be necessary to meet CALFED's multiple objectives.

Ecosystem Restoration Efforts

Comment: Comments stated support of the CALFED Ecosystem Restoration efforts while not supporting other portions of the CALFED program.

Response: The four problem areas (ecosystem quality, water quality, water supply reliability and levee system integrity) are interrelated. Addressing Ecosystem Restoration alone is unlikely to succeed in a long-term, sustainable solution. Many past attempts to improve a single problem have achieved limited success because solutions were too narrowly focused.

Water Storage in the CALFED Program

Comment: Comments suggested that the preferred program alternative should/should not include surface storage.

Response: Groundwater and/or off-stream surface water storage will be developed and constructed, together with aggressive implementation of water conservation, recycling, and a protective water transfer market, as appropriate to meet CALFED Program goals. During Stage 1, through the Water Management Strategy (including the Integrated Storage Investigation), CALFED will evaluate and determine the appropriate mix of surface water and groundwater storage, identify acceptable projects and initiate permitting and construction if program linkages and conditions are satisfied. Second-tier environmental documentation will be completed prior to approving any proposed storage reservoir. CALFED has not included constructing new on-stream reservoirs in the preferred program alternative.

Alternatives

Comment: Program has not looked at a broad enough range of alternatives.

Response: Beginning with Phase I, CALFED has identified and reviewed numerous actions and approaches to resolving the Bay-Delta system problems. The process identified 100 preliminary but broad solution alternatives that eventually were refined to 31, then 20, then 12 alternatives. Many of the alternatives considered and not carried forward either had significant technical limitations or shared similar characteristics with the alternatives carried forward but which had greater adverse environmental impacts or were more costly. Finally, after many public hearings and workshops, the alternatives were further refined to the four presented in the June 1999 draft PEIS/EIR.

Comment: Preferred program alternative will not meet water quality objectives.

Response: CALFED Program goals are twofold: (1) minimize ecological, drinking water, and other water quality problems; and (2) maintain water quality once achieved. To achieve this, CALFED will improve source water quality by reducing or eliminating parameters which degrade water quality. The Program will emphasize voluntary, cooperative incentive-based efforts to improve water quality. If water quality objectives can not be achieved by implementing the preferred program, the plan includes a process to pursue additional alternatives to achieve the objectives.

Comment: Preferred program alternative will not improve water supply reliability

Response: The primary water supply reliability objective is to reduce the conflict among beneficial water uses dependent on the Bay-Delta system, improve the ability to transport water through the Bay-Delta system, and reduce the uncertainty of supplies from the Bay-Delta system. The Water Management Strategy offers a series of actions, i.e, water transfers, water conservation, water recycling, groundwater and surface water storage, conveyance, watershed management, water quality and operational strategies to meet the objective.

Water exports to Southern California should not be included in the Preferred program alternative.

Comment: Bay-Delta water exports to Southern California should not be part of the preferred program alternative either at all, or not until water conservation measures are implemented in Southern California.

Response: No single water management tool or CALFED Program element can adequate address all the Bay-Delta system needs. The CALFED Program is focusing on reducing the impacts of water diversions rather than focusing on reducing the volume or changing the destination of Bay-Delta water exports.

Isolated Facility/Peripheral Canal

Comment: An isolated facility/peripheral canal should/should not be part of the preferred program alternative.

Response: An isolated facility is not part of the CALFED preferred program alternative. The CALFED agencies propose to begin with through Delta modifications. In the event the through Delta conveyance facilities in the preferred program alternative cannot meet the Program objectives particularly for water quality and fisheries, the preferred program alternative includes a process for determining the conditions under which any future additional conveyance facility actions, including those in Alternative 3, would be taken. Until additional information is available to determine whether water quality objectives and fish recovery goals can be met and which if any additional actions will be necessary to achieve the Program goals and objectives, the preferred program alternative is the best alternative to achieve overall project purposes/objectives.